

REMARKS

Applicants thank the Examiner for providing suggestions for overcoming the rejections under 35 USC 112, first and second paragraphs. Applicants have amended claims 5 and 10 as suggested by the Examiner. Thus, the rejections of claims 5-6 and 9-13 under 35 USC 112, first and second paragraphs, should be withdrawn.

Claims 1-13 were rejected as being anticipated by Patent (Provisional Application No. 60/395,164, filed July 11, 2002. This rejection is respectfully traversed.

Applicants herewith submit a declaration under 37 CFR 1.131 to overcome the prior art rejection by antedating the filing date of July 11, 2002, of U.S. Provisional Application Serial No. 60/395,164. The pending application claims priority from a Korean application filed on October 29, 2002, but the invention was reduced to practice in Korea, a WTO country, as of February 26, 2002. The inventors have provided herewith facts “to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to a subsequent reduction to practice or to the filing of the application.” 37 CFR 1.131

Just for the record, Applicants submit the following. The Examiner has not provided a copy of PTO-892 “Notice of References Cited.” The undersigned called the Examiner on December 29 and 30, 2004, to discuss this issue. The Examiner said that he will send a copy of PTO-892. However, the USPTO has still failed to send a copy of PTO-892.

Furthermore, when the undersigned requested the Examiner for a copy of U.S. Provisional Application Serial No. 60/395,164, he said that Applicants should refer to U.S. Published Application 2004/0063954 A1 because he has cited pages and claims of this published application on page 3, lines 7-9, from the bottom of the Action, in making his rejection. The Examiner acknowledged that he has not looked at U.S. Provisional Application Serial No. 60/395,164. When the undersigned reviewed U.S. Published Application 2004/0063954, he found that U.S. Provisional Application Serial No. 60/395,164 has simply been referred to as a “Related Application,” but *not* as a benefit-providing document.

Because the provisional application is cited in U.S. Published Application 2004/0063954 A1, the undersigned could obtain a copy of U.S. Provisional Application Serial No. 60/395,164

from the USPTO website. However, please note that only U.S. Provisional Application Serial No. 60/395,164 is prior art, *not* U.S. Published Application 2004/0063954 A1. Thus, Applicants have antedated U.S. Provisional Application Serial No. 60/395,164 even though it is quite possible that the provisional application does not even disclose what is cited by the Examiner from U.S. Published Application 2004/0063954.

In light of the above, a Notice of Allowance is respectfully solicited.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **300602004200**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

By

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